

15031-340

FORMALITIES LETTER



OC00000005234029

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/579,023	05/25/2000	Alexander R. Roustaei	15031.340

Ira J Schaefer Esq
Chadbourn & Parke LLP
30 Rockefeller Plaza
New York, NY 10112

Date Mailed: 07/11/2000

NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

Filing Date Granted

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Alexander R. Roustae, Roland L. Lawrence, Ali Lebaschi, Long-Xiang Bian
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/27/2000 CVORACHA 00000063 031240 09579023

01 FC:105 130.00 CH

Section #

**Response To Notice To File Missing Parts Of Application
- Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
15031-340

In Re Application Of: Alexander R. R. ustaei, et al.

Serial No
09/579,023

JUL 24 2000

Filing Date
May 25, 2000

Examiner

Group Art Unit
2876

Invention: **OPTICAL SCANNER FOR READING AND DECODING ONE-AND-TWO-DIMENSIONAL
SYMBOLOGIES AT VARIABLE DEPTHS OF FIELD INCLUDING MEMORY EFFICIENT HIGH SPEED
IMAGE PROCESSING MEANS AND HIGH ACCURACY IMAGE ANALYSIS MEANS**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
July 11, 2000
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

Petition under 37 CFR 1.47(a) and Response To Notice To File Missing Parts Of Reissue Application

Declaration dated May 25, 2000

Request for corrected filing receipt and copy of filing receipt marked up in red

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
15031-340

In Re Application Of: **Alexander R. Roustaei, et al.**

Serial No.
09/579,023

Filing Date
May 25, 2000

Examiner

Group Art Unit
2876

Invention: **OPTICAL SCANNER FOR READING AND DECODING ONE-AND-TWO-DIMENSIONAL
VARIABLE DEPTHS OF FIELD INCLUDING MEMORY EFFICIENT HIGH SPEED IMAGE PROCESSING
ACCURACY IMAGE ANALYSIS MEANS**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

☒ Completion of application fees as calculated below:

☐ Utility application filing fee

☐ Design application filing fee

☐ Total number of independent claims =

☐ Total number of claims =

☐ Multiple dependent claims

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$130.00**

☐ Petition and fee for filing by other than all the inventors or a person not the invention

☐ Fee for processing an application filed with a non-English language specification

☐ Fee for processing and retention of application

Total completion of application fees **\$130.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: _____ until: _____
Date Date

Total time extension fees

Total fees due **\$130.00**

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.
15031-340

In Re Application Of: **Alexander R. Roustaei, et al.**

Serial No.
09/579,023

Filing Date
May 25, 2000

Examiner

Group Art Unit
2876

Invention: **OPTICAL SCANNER FOR READING AND DECODING ONE-AND-TWO-DIMENSIONAL
VARIABLE DEPTHS OF FIELD INCLUDING MEMORY EFFICIENT HIGH SPEED IMAGE PROCESSING
ACCURACY IMAGE ANALYSIS MEANS**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of **\$130** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **03-1240**
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **03-1240**
A duplicate copy of this sheet is enclosed.

Daniel Basov
Signature

Dated: **July 21, 2000**

Daniel Basov, Esq.

Reg. No **42,303**

**Chadbourne & Parke LLP
30 Rockefeller Plaza
New York, New York 10112
212-408-5275**

I certify that this document and fee is being deposited on **July 21, 2000** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Daniel Basov

Signature of Person Mailing Correspondence

Daniel Bas v, Esq.

Typed or Printed Name of Person Mailing Correspondence

CC:



15031.340

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Alexander R. Roustaei, et al.

Serial No: 09/579,023
(Application for Reissue of U.S. Patent No. 5,756,981, issued on May 26, 1998)

Filed: May 25, 2000

For: OPTICAL SCANNER FOR READING AND DECODING ONE-AND-TWO-DIMENSIONAL SYMBOLOGIES AT VARIABLE DEPTHS OF FIELD INCLUDING MEMORY EFFICIENT HIGH SPEED IMAGE PROCESSING MEANS AND HIGH ACCURACY IMAGE ANALYSIS MEANS

Art Unit: 2876

Examiner :

July 21, 2000

Assistant Commissioner for Patents
Washington, D.C. 20231
Attn: Office of Initial Patent Examination's,
Customer Service Center

REQUEST FOR CORRECTED FILING RECEIPT

SIR:

The filing receipt in the above-identified application was found to contain the following error(s):

IN THE TITLE: PLEASE ADD THE BOLDED WORDS, MISSING IN THE TITLE ON THE FILING RECEIPT, FOR THE ABOVE-IDENTIFIED APPLICATION.

OPTICAL SCANNER FOR READING AND DECODING ONE-AND-TWO-DIMENSIONAL SYMBOLOGIES AT VARIABLE DEPTHS OF FIELD INCLUDING MEMORY EFFICIENT HIGH SPEED IMAGE PROCESSING MEANS AND HIGH ACCURACY IMAGE ANALYSIS MEANS

A copy of the filing receipt showing the correction is attached.

Please issue a corrected filing receipt at your earliest convenience.

Respectfully submitted,

Daniel Basov

Daniel Basov

Reg. No. 42,303;

Ira J. Schaefer

Reg. No. 46,802

Attorneys for the Assignee/Applicant

CHADBOURNE & PARKE LLP
30 ROCKEFELLER PLAZA
NEW YORK, NEW YORK 10112
(212)408-1075

I hereby certify that this correspondence
is being deposited with the United States
Postal Service with sufficient postage as
first class mail in an envelope addressed
to: Assistant Commissioner for Patents,
Washington, D.C. 20231

On: July 21, 2000
CHADBOURNE & PARKE LLP
By: Daniel Basov
Daniel Basov

15031-340

FILING RECEIPT



OC00000005234028

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: ASSISTANT SECRETARY AND
COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/579,023	05/25/2000	2876	852	15031.340	35	46	3

Ira J Schaefer Esq
Chadbourne & Parke LLP
30 Rockefeller Plaza
New York, NY 10112

DOCKETED

JUL 17 2000

JUL 14 2000

GRPLP

Date Mailed: 07/11/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Alexander R. Roustaei, La Jolla, CA ;
Roland L. Lawrence, San Diego, CA ;
Ali Lebaschi, San Diego, CA ;
Long-Xiang Bian, San Diego, CA ;
Donald Fisher, Valley Center, CA ;

Continuing Data as Claimed by Applicant

THIS APPLICATION IS A REI OF 08/690,752 08/01/1996 PAT 5,756,981
WHICH IS A CIP OF 08/569,728 12/08/1995 PAT 5,786,582
WHICH IS A CIP OF 08/363,985 12/27/1994 ABN
WHICH IS A CON OF 08/059,322 05/07/1993 ABN
WHICH IS A CIP OF 07/965,991 10/23/1992 PAT 5,354,977
WHICH IS A CIP OF 07/956,646 10/02/1992 PAT 5,349,172
WHICH IS A CIP OF 07/843,266 02/27/1992 PAT 5,291,009
AND A CIP OF 08/137,426 10/18/1993 PAT 5,484,994
AND A CIP OF 08/444,387 05/19/1995 ABN
WHICH IS A CIP OF 08/329,257 10/26/1994 ABN

Foreign Applications

If Required, Foreign Filing License Granted 07/11/2000

Title

Optical scanner for reading and decoding one-and-two-dimensional symbologies at variable depths of field, speed image processing means and high accuracy image analysis means

Preliminary Class
235

including memory efficient high

Data entry by : NIMMONS, EVELYN

Team : OIPE

Date: 07/11/2000



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."

- Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

